



National Vetting Bureau (Children and Vulnerable Persons) Acts
2012 to 2016

Frequently Asked Questions

Public Website

Example:

Applicant's Tab

Public Website FAQ's					
Applicant	Disclosures and Disputes	Specified Information	e-Vetting	IT Requirements	Organisations
<p>Is vetting conducted on an individual basis? No. Vetting is conducted only on behalf of relevant organisations that are registered with the National Vetting Bureau and is not conducted for individual persons on a personal basis.</p> <p>Who conducts vetting? Vetting will be carried out by the National Vetting Bureau (formerly known as the Garda Central Vetting Unit).</p> <p>Will Garda Stations carry out vetting? No – the National Vetting Bureau will be the single point of contact to conduct vetting.</p>					

Disclosures and Disputes Tab

Public Website FAQ's					
Applicant	Disclosures and Disputes	Specified Information	e-Vetting	IT Requirements	Organisations
<p>Will the National Vetting Bureau make decisions in respect of applicants looking for employment in relevant organisations? No. All decisions in respect of the suitability of applicants for positions in relevant organisations are the sole responsibility of the relevant organisation concerned. The National Vetting Bureau has no input into any decision made in any relevant organisation in respect of the suitability of an applicant for a position within such an organisation.</p> <p>What details are disclosed as a result of vetting? A vetting disclosure shall include particulars of the criminal record (if any) and a statement of specified information (if any) relating to the person or a statement that there is no criminal record or specified information, in relation to the person to disclose.</p>					

Applicant

Who conducts vetting?

Vetting is conducted by the National Vetting Bureau (formerly known as the Garda Central Vetting Unit).

Is vetting conducted on an individual basis?

No. Vetting is conducted only on behalf of [relevant organisations](#) that are registered with the National Vetting Bureau and is not conducted for individual persons on a personal basis.

What is the procedure for making an application for a vetting disclosure?

The procedure is as follows:-

- Personnel who are subject to vetting will receive a vetting application form (including electronic form) from the [relevant organisation](#) where they are seeking a position.
- The applicant completes the application form and returns it to the [relevant organisation](#) and provides proof of identity.
- A [Liaison Person](#) in the [relevant organisation](#) forwards the form to the National Vetting Bureau.

What is the position with vetting persons under 18 years of age?

Section 13(6) of the Act provides for vetting of persons under 18 years of age. The Act states that if a person in respect of whom an application for a vetting disclosure is made is under 18 years of age, a declaration of consent (Parent/Guardian Consent Form) is completed on his or her behalf by a parent or guardian of the person.

What information am I required to provide on a vetting application form?

The following information is required to be provided on a vetting application form:

- Your Name(s) and any other Name(s) you are known as or have been known as.
- Gender.
- Date of Birth
- Place of Birth.
- Mother's Maiden Name.

- Passport Number where applicable.
- Job Role
- Your current address and previous addresses (if any).
- Particulars of any [criminal record](#).

Are PPS numbers required on application forms?

There is no requirement in the Act for the provision of PPS numbers by vetting subjects.

Why is the passport number required on the application form?

An application for a vetting disclosure under Section 13 of the Act shall include the information specified in subsection (5) in relation to the person. A passport number, if available, is specified in this subsection.

What is a Criminal Record?

A criminal record in relation to a person means a record of the person's convictions whether within or outside the state for any criminal offence together with any ancillary or consequential orders made pursuant to the convictions concerned or a record of any prosecutions pending against the person whether within or outside the state for any criminal offences or both.

A person shall not be obliged to provide details of any convictions to which Section 14A of the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016 applies.

If I have a case pending, should I indicate this on my vetting application?

Yes. The definition of [criminal record](#) includes a record of any prosecutions pending against a person, whether within or outside the State, for any criminal offence.

What are the procedures for consideration by National Vetting Bureau of application for Vetting Disclosure?

Where the National Vetting Bureau receives an application for a vetting disclosure in respect of a person concerning relevant work or activities, the National Vetting Bureau shall make such enquiries of An Garda Síochána as it

deems necessary to establish whether there is any [criminal record](#) or [specified information](#) relating to the person.

Can information on me be disclosed to a potential employer without my knowledge or permission?

No. Persons who are subject to vetting will receive a vetting application form (including electronic form) from the [relevant organisation](#) where they are seeking a position. The applicant completes the application form, where they sign a declaration allowing the [relevant organisation](#) to send in the Vetting application and return it to the [relevant organisation](#) and a [Liaison Person](#) in the [relevant organisation](#) will forward the form to the National Vetting Bureau.

Will there be a fee for vetting?

Section 32 of the Act states that the Minister may, after consultation with the Garda Commissioner and with the consent of the Minister for Public Expenditure and Reform, by regulations prescribe fees.

What are the penalties for not complying with the Act?

A person guilty of an offence under *section 26* shall be liable -

- a) on summary conviction, to a class A fine or imprisonment for a term not exceeding 12 months or both, or
- b) on conviction on indictment, to a fine not exceeding €10,000 or imprisonment for a term not exceeding 5 years or both.

A person guilty of an offence under *section 24(6)* shall be liable on summary conviction to a class A fine or imprisonment for a term not exceeding 6 months or both.

If I withdraw my application, will the relevant organisation be informed?

Yes. If you correspond directly with the National Vetting Bureau to withdraw your application, the National Vetting Bureau will inform the [relevant organisation](#).

Disclosures and Disputes

What details are disclosed as a result of vetting?

A vetting disclosure shall include particulars of the [criminal record](#) (if any) relating to the person, and a statement of the [specified information](#) (if any) relating to the person or a statement that there is no [criminal record](#) or [specified information](#), in relation to the person.

Does the applicant receive a copy of the disclosure?

The [relevant organisation](#) in accordance with the National Vetting Bureau Act shall, as soon as practicable, make available a copy of the vetting disclosure to the applicant.

What is the procedure where an Applicant disputes the detail contained in a vetting disclosure?

The Applicant should outline in writing to the [Liaison Person](#) in the [relevant organisation](#) the exact basis of their dispute. The [Liaison Person](#) should submit the Applicant's report to the National Vetting Bureau. Further checks will be carried out by the National Vetting Bureau who will correspond with the [Liaison Person](#) in course.

Does the National Vetting Bureau make decisions in respect of applicants looking for employment in relevant organisations?

No. All decisions in respect of the suitability of applicants for positions in [relevant organisations](#) are the sole responsibility of the [relevant organisation](#) concerned. The National Vetting Bureau has no input into any decision made in any [relevant organisation](#) in respect of the suitability of an applicant for a position within such an organisation.

If I get vetted with a Relevant Organisation, can I use the Vetting Disclosure from this Organisation when applying to another Organisation?

The Act states that a [relevant organisation](#) shall not permit any person to undertake relevant work or activities on behalf of the organisation unless the organisation receives a vetting disclosure from the National Vetting Bureau in respect of that person. The only exception to this is where relevant organisations have in place a joint agreement in writing in accordance with Section 12 (3A) of the Act.

Can further information be sought in respect of a disclosure?

Yes. The written consent of the vetting subject must be obtained and the request must be forwarded in writing to the National Vetting Bureau.

Specified Information

What is specified information?

Specified information in relation to a person who is the subject of an application for a vetting disclosure means information concerning a finding or allegation of harm to another person received by the Bureau from An Garda Síochána or a scheduled organisation pursuant to section 19 of the Act. It is information that is considered to give rise to a bona fide concern that the vetting subject may harm, attempt to harm or put at risk a child or vulnerable person or both. If such information is going to be disclosed to a [relevant organisation](#) relating to one of their applicants, the Chief Bureau Officer must, in advance, notify the vetting subject of the intention to disclose the information.

What type of information will the scheduled organisations give?

Section 19 of the Act states that where, following an investigation, inquiry or regulatory process (howsoever described) in respect of a person, (including an investigation, inquiry or regulatory process initiated but not yet concluded before the commencement of this section) a scheduled organisation, has as a result of the investigation, inquiry or regulatory process, a *bona fide* concern that the person who is the subject of that investigation, inquiry or regulatory process, may—

- a) harm any child or vulnerable person,
- b) cause any child or vulnerable person to be harmed,
- c) put any child or vulnerable person at risk of harm,
- d) attempt to harm any child or vulnerable person, or
- e) incite another person to harm any child or vulnerable person, the scheduled organisation shall, as soon as may be, for the purposes of providing [specified information](#) to the Bureau, notify the Bureau in writing of that concern and shall state the reasons for it.

What type of specified information will be released?

The decision to disclose [specified information](#) requires the Chief Bureau Officer to believe that the information in question is of such a nature as to give rise to a

bona fide concern that the vetting subject may harm, attempt to harm or put at risk of harm a child or vulnerable person.

Is the applicant notified by the National Vetting Bureau before disclosure of Specified Information?

Yes. The vetting subject shall be informed in writing by the Chief Bureau Officer of his or her intention to disclose [specified information](#) and shall furnish him or her with a summary of the [specified information](#). The vetting subject shall also be informed that he or she may make a written submission in relation to the [specified information](#) concerned. A person who is aggrieved by a determination of the Chief Bureau Officer may, not later than 14 days after the date the notification of the determination is sent to the person, appeal to an appeals officer against that determination. A person may appeal to the high court from a determination of an appeal by an appeals officer on a point of law and the determination of the high court on such appeal shall be final and conclusive.

e-Vetting

Where does the applicant find the link to apply for vetting online?

The applicant must manually complete and forward the Vetting Invitation Form to a [relevant organisation](#) and provide proof of identity. The [relevant organisation](#) confirms proof of identity and sends the applicant an Email with a link attached inviting him/her to complete the vetting application online.

What details must the applicant provide on the Invitation Form?

They must provide their forename(s), surname, date of birth, Email address, contact number, job role, current address and sign and date the Invitation Form.

How does the applicant obtain an Invitation Form?

The [relevant organisation](#) provides the Invitation Form to the applicant.

How long is the link available to the applicant after they receive the Email with the link from the relevant organisation?

The link will expire after 30 days. The applicant will then have to re-apply to the [relevant organisation](#) to resend the link.

Is a reminder Email sent to the applicant prior to the link expiring?

Yes. A reminder Email is sent after 21 days if no reply has been received from the applicant.

When the applicant has completed the application form online, does it go directly to the National Vetting Bureau?

No. The application goes to the [relevant organisation](#). They will review the application and submit it to the National Vetting Bureau.

Can an applicant check the progress of their vetting application?

Yes. The applicant may click on the link received in the original Email from the [relevant organisation](#). From here, they can go to the Track Application section to see the status of their application.

Is the vetting Disclosure issued by the National Vetting Bureau to the applicant or the relevant organisation?

The vetting disclosure is issued to the [relevant organisation](#). The [relevant organisation](#) in accordance with the National Vetting Bureau Act shall, as soon as practicable, make available a copy of the vetting disclosure to the applicant.

Will it be mandatory for a relevant organisation to sign up for e-Vetting?

No. [Relevant organisations](#) that don't sign up for e-Vetting will submit paper application forms to the National Vetting Bureau and vetting disclosures will be issued in writing and returned to the [relevant organisation](#).

If an applicant hasn't an Email address and the relevant organisation has signed up for e-Vetting, what do they do?

The applicant may complete a paper application form and send it to the [relevant organisation](#) who will enter the details onto the e-Vetting website and submit to the National Vetting Bureau.

Can a relevant organisation that has signed up for e-Vetting submit paper application forms to the National Vetting Bureau?

No. Once a [relevant organisation](#) signs up for e-Vetting, all applications must be submitted online to the National Vetting Bureau.

IT Requirements

Supported browsers

You can access the e-Vetting website through the Internet on browsers such as Chrome, Firefox, Internet Explorer, and Safari.

The e-Vetting portal supports the latest versions of each of these browsers

- Internet Explorer (Versions 9-11)
- Latest Chrome
- Latest Firefox
- Latest Safari

Regardless of your browser type, you must have cookies and Java script enabled.

Minimum requirements for e-Vetting portal on mobile browsers

To access the e-Vetting portal for mobile web browsers, your mobile browser needs to fit a few minimum requirements.

First, make sure your browser is XHTML compliant. If you're not sure if it is, you can visit <http://www.google.com/xhtml> and perform a search. If it doesn't work, your browser may not be XHTML compliant.

You can contact your mobile service provider to check the following requirements:

- Your browser should have cookies enabled and your network should also allow cookies. The setting for cookies is usually located in your phone's browser settings.
- Your network should allow secure SSL traffic.
- Your mobile browser must have a URL length of 2000 bytes.
- Your mobile browser must allow redirects of 10.

Fixing Internet Explorer Compatibility View issues

Internet Explorer has a Compatibility View (or mode) that affects how some websites are displayed. The e-Vetting portal may display incorrectly if Compatibility View is enabled for evetting-portal.garda.ie. We suggest that you remove evetting-portal.garda.ie from your list of sites that have Compatibility View enabled.

Instructions

- Internet Explorer 11

1. In Internet Explorer, press the Alt key to display the Menu bar, or press and hold the address bar and select Menu bar.
2. Click Tools and select Compatibility View settings.
3. Select evetting-portal.garda.ie under "Websites you've added to Compatibility View."
4. Click Remove.

▪ Internet Explorer 10

1. In Internet Explorer, press the Alt key to display the Menu bar, or press and hold the address bar and select Menu bar.
2. Click Tools and select Compatibility View settings.
3. Select evetting-portal.garda.ie under "Websites you've added to Compatibility View."
4. Click Remove.

▪ Internet Explorer 9

1. In Internet Explorer, press the Alt key to display the Menu bar, or press and hold the address bar and select Menu bar.
2. Click Tools and select Compatibility View settings.
3. Select evetting-portal.garda.ie under "Websites you've added to Compatibility View."
4. Click Remove.

1. How to clear cache and cookies

If you're seeing problems in how the e-Vetting portal is displaying in your browser; it may be necessary to clear your cache and cookies.

Review and follow the instructions provided by your browser:

- Google Chrome
- Windows Internet Explorer
- Mozilla Firefox
- Apple Safari

Details and alternatives

Effect of clearing cache and cookies: Keep in mind that clearing your cache and cookies erases your settings for websites. Here are some examples:

- If you opted to have your browser remember your username and password, it will be cleared from your browser's memory when you clear cache and cookies.

- The e-Vetting portal might load a little slower because all of the images and content pieces have to be loaded from scratch.

Recommended first step: If you're seeing problems in how web pages are displayed in your browser, we suggest first using your browser's incognito or private browsing mode to see if the problem you're seeing is caused by something other than cache or cookies.

Organisation

What is the purpose of the National Vetting Bureau (Children and Vulnerable Persons) Act 2012 to 2016?

The Act will provide a legislative basis for the mandatory vetting of persons who wish to undertake certain work or activities relating to children or vulnerable persons or to provide certain services to children or vulnerable persons.

Who will require to be vetted?

Any person who is carrying out work or activity, a necessary and regular part of which consists mainly of the person having access to, or contact with, children or vulnerable adults.

A [relevant organisation](#) shall not permit any person to undertake relevant work or activities on behalf of the organisation unless the organisation receives a vetting disclosure from the National Vetting Bureau in respect of that person. A person who contravenes this section shall be guilty of an offence.

What is the definition of a child?

In the Act, a child is defined as a person under the age of 18 years.

What is the definition of a vulnerable person?

A vulnerable person means a person, other than a child, who is suffering from a disorder of the mind, whether as a result of mental illness or dementia, has an intellectual disability, is suffering from a physical impairment, whether as a result of injury, illness or age, or has a physical disability, which is of such a nature or degree as to restrict the capacity of the person to guard himself or herself against harm by another person, or that results in the person requiring assistance with the activities of daily living including dressing, eating, walking, washing and bathing.

What is a relevant organisation?

A relevant organisation means a person (including a body corporate or an unincorporated body of persons) who employs, enters into a contract for services or permits any person to undertake relevant work or activities, a necessary and regular part of which consists mainly of the person having access to, or contact with, children or vulnerable adults.

A relevant organisation shall not permit any person to undertake relevant work or activities on behalf of the organisation unless the organisation receives a vetting disclosure from the National Vetting Bureau in respect of that person. A person who contravenes this section shall be guilty of an offence.

What is the procedure for registration of a relevant organisation with the National Vetting Bureau?

A [relevant organisation](#) shall apply to the National Vetting Bureau to be registered in the register of [relevant organisations](#) in accordance with Section 8 of the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016. A [relevant organisation](#) that, immediately before the commencement of this section, is registered with the Garda Central Vetting Unit shall, on such commencement, be deemed to be registered in the register of [relevant organisations](#). An application shall specify the name and address of the [relevant organisation](#) and provide details of the relevant work or activities relating to children and/or vulnerable persons carried out by the organisation.

What is Relevant Work or Activities?

Any work or activities, which is carried out by a person, a necessary and regular part of which consists mainly of the person having access to, or contact with children or vulnerable persons. Details of relevant work or activities are outlined in part 1 and 2 of Schedule 1 of the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016.

Can a person be employed pending vetting?

No. A [relevant organisation](#) shall not permit any person to undertake relevant work or activities on behalf of the organisation unless the organisation receives a vetting disclosure from the National Vetting Bureau in respect of that person. A person who contravenes this section shall be guilty of an offence.

Are persons who carry out work or activity on an occasional basis required to be vetted?

The Act shall not apply to persons who assist on an occasional basis and for no commercial consideration. This would include persons who assist on an occasional basis at a school, sports or community event or activity other than

where such assistance includes the coaching, mentoring, counselling, teaching or training of children or vulnerable persons. Each [relevant organisation](#) will need to assess the positions involved in accordance with the Act.

Is it an offence if a relevant organisation employs, enters into contract for services or permits a person to carry out relevant work or activities without receiving a vetting disclosure from the National Vetting Bureau?

Yes. Either the person, [relevant organisation](#) or both may be prosecuted. In proceedings for an offence under Section 12 of the Act it shall be a defence for the accused person to show that the accused person neither knew, nor could reasonably be expected to know, that the work or activity to which the employment, contract, permission or placement referred to constituted relevant work or activities.

What are the penalties for not complying with the Act?

A person or organisation guilty of an offence under *section 8(9), 12(2), 16(4), 19(8), 20(3), 21(3) or 26* shall be liable -

(a) on summary conviction, to a class A fine or imprisonment for a term not exceeding 12 months or both, or

(b) on conviction on indictment, to a fine not exceeding €10,000 or imprisonment for a term not exceeding 5 years or both.

A person guilty of an offence under *section 24(6)* shall be liable on summary conviction to a class A fine or imprisonment for a term not exceeding 6 months or both.

Where parents volunteer on an occasional basis should they be vetted?

The Act shall not apply where a person gives assistance on an occasional basis at a school, sports or community event or activity. Each [relevant organisation](#) will need to assess the positions involved in accordance with the Act.

When an organisation is hiring a company through the tendering process are they obliged to conduct vetting for the persons that will be conducting relevant work?

Yes. Section 12 (1) of the Act states that a [relevant organisation](#) shall not enter into a contract for services with any person for the provision by that person of services which constitute relevant work or activities unless the organisation receives a vetting disclosure from the Bureau in respect of that person.

How is the identity of the Applicant validated by the Relevant Organisation?

[Relevant organisations](#) should satisfy themselves as to the identity of those applying for positions. International best practice recommends a minimum of two forms of identification should be produced, one of which should be photographic identification. These can include Passport, Driving Licence, and National Identity Card. Other forms of identification should be produced for the purpose of the verification of current address and may include recent utility bill (gas, telephone and electricity), Bank/Building Society/Credit Union statement and birth certificate. In the absence of this documentation, an applicant has the option of swearing an Affidavit /Affirmation before a Commissioner of Oaths to verify their identity. Please note there may be separate requirements by a Commissioner of Oaths in this regard.

Can disclosures be passed from one organisation to another?

The Act states that a [relevant organisation](#) shall not permit any person to undertake relevant work or activities on behalf of the organisation unless the organisation receives a vetting disclosure from the National Vetting Bureau in respect of that person. The only exception to this is where relevant organisations have in place a joint agreement in accordance with Section 12(3A) of the Act.

Will current employees or volunteers have to be vetted?

Retrospective vetting is referred to in Section 21 of the Act. The [relevant organisation](#) shall, where the person concerned has not previously been the subject of an application for vetting disclosure under the Act, not later than such period as may be prescribed by the Minister, make an application for vetting disclosure in respect of that person.

Is there a time frame for re-vetting?

A [relevant organisation](#) that, following receipt of a vetting disclosure under the Act in respect of a person shall, after the expiration of such period as may be prescribed by the Minister make a further application for vetting disclosure in respect of that person.

What is a Liaison Person?

A [relevant organisation](#) that is registered in the register of [relevant organisations](#) shall, for the purposes of applying for and receiving vetting disclosures in accordance with the Act, nominate in writing a person (in the Act referred to as a “Liaison Person”) to be registered in the register of [relevant organisations](#) as the Liaison Person of the organisation. A person who, immediately before the commencement of Section 9 of the Act, is registered with the Garda Central Vetting Unit as an Authorised Signatory for an organisation shall, on such commencement of the Act, be deemed to be registered as a Liaison Person for the organisation in the register of [relevant organisations](#). An application for a vetting disclosure in respect of an applicant shall be made by a Liaison Person for a [relevant organisation](#).